

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978

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ENROLLED

HOUSE BILL No. 1676

(By Mr. s. Withrow & Mr. Kincaid)

— ● —

PASSED March 10, 1978

In Effect - from - Passage



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ENROLLED

H. B. 1676

(By MRS. WITHROW and MR. KINCAID)

[Passed March 10, 1978; in effect from passage.]

AN ACT finding and declaring certain claims against the state and its agencies to be moral obligations of the state, and directing the auditor to issue warrants for the payments thereof.

Be it enacted by the Legislature of West Virginia:

CLAIMS AGAINST THE STATE.

§1. Finding and declaring certain claims against the department of health, department of corrections, and the department of motor vehicles, to be moral obligations of the state and directing payment thereof.

1 The Legislature has heretofore made findings of fact that
2 the state has received the benefit of the commodities and
3 services rendered by certain claimants herein and has con-
4 sidered claims against the state, the department of health, de-
5 partment of corrections and department of motor vehicles,
6 agencies thereof, which have arisen due to over-expenditures
7 of departmental appropriations by officers of such state spend-
8 ing unit, such claims having been previously considered by
9 the court of claims which also found that the state has re-
10 ceived the benefit of the commodities and services rendered
11 by each claimant, but were denied by the court of claims on
12 the purely statutory grounds that to allow such claims would
13 be condoning illegal acts contrary to the laws of the state. The
14 Legislature, pursuant to its findings of fact and also by the

15 adoption of the findings of fact by the court of claims as its
16 own, and, while not condoning such illegal acts, hereby de-
17 clares it to be the moral obligation of the state to pay each
18 such claim in the amount specified below, and directs the
19 auditor to issue warrants upon receipt of a properly executed
20 requisition supported by an itemized invoice, statement or
21 other satisfactory document as required by section ten, article
22 three, chapter twelve of the code of West Virginia, one thou-
23 sand nine hundred thirty-one, as amended, for the payment
24 thereof out of any fund appropriated and available for the
25 purpose.

26 (a) Claims against the department of health:

27 (To be paid from General Revenue Fund)

28	(1) Lewis Edmon Cox	\$ 185.64
29	(2) Ruth McPherson	1,267.25
30	(3) John C. Racer	178.80
31	(4) Physicians Fee Office	2,145.23
32	(5) Pedro N. Ambrosio, M.D.	272.00
33	(6) Pfizer Corporation, Roerig Division	608.00

34 (b) Claims against the department of corrections:

35	(1) Graves-Humphreys, Inc.	1,604.99
36	(2) C. H. James & Co., Div. of	
37	James Produce Co., Inc.	39.91
38	(3) Department of Highways	3,040.00
39	(4) Lashley Tractor Sales	513.47

40 (c) Claims against the department of motor vehicles:

41	(1) West Virginia Public Employees	
42	Insurance Board	5,563.68
43	Total	\$ 15,418.97

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Lawrence C. Chutkan Jr.
Chairman House Committee

Originated in the House.

Takes effect from passage.

J. C. Willson Jr.
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

W. T. Bratherton Jr.
President of the Senate

Donald L. Zopp
Speaker House of Delegates

The within is approved this the 21
day of March, 1978.

John D. Roper
Governor

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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date March 21, 1978

Time 11:55 A.M.

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OFFICE
OF THE
GOVERNOR
OF THE STATE